APPENDIX.

Statutory and Other Provisions.

N. Y. Code of Criminal Procedure:
(McKinney's Consol. Laws of New York)

Part I, Title VI, of the Courts of Special Sessions and Police Courts.

Chap. I. The Special Sessions except in the Cities of New York and Albany.

Sec. 56. Jurisdiction of courts.

Subject to the power of removal * * * courts of special sessions, outside the City of New York, have in the first instance exclusive jurisdiction to hear and determine charges of misdemeanors, offenses, violations of ordinances and infractions committed within their respective counties, as follows:

(Subd.) 36. When a complaint is made to or a warrant is issued by a committing magistrate for a violation of the provisions of section forty-three or seven hundred and twenty of the penal law of the State of New York (c. 442, Ls. 1881, as Amend.; c. 368, Ls. 1948; c. 66, §5, Ls. 1909).

Part IV of the Proceedings in Criminal Actions Prosecuted by Indictment.

Sec. 144. When prosecution commenced.

A prosecution is commenced * * * when an information is laid before a magistrate charging the commission of a crime and a warrant of arrest is issued by him or when an indictment is duly presented * * * (c. 246, 3 Ls. 1929).

Sec. 145. Information defined.

The information is the allegation made to a magistrate, that a person has been guilty of some designated crime (c. 442, Ls. 1881).

PART V OF PROCEEDINGS IN COURTS OF SPECIAL SESSIONS AND POLICE COURTS.

TITLE I OF PROCEEDINGS IN COURTS OF SPECIAL SESSIONS IN THE COUNTIES OTHER THAN NEW YORK.

Sec. 699. Magistrate to inform defendant of right to counsel; charge to be read to defendant, and he required to plead.

1. In the cases in which courts of special sessions or police courts have jurisdiction, when the defendant is brought before the magistrate, the magistrate must immediately inform him of the charge against him * * * and before any further proceedings are had.

3. * * * and if the defendant do not require counsel, then immediately the charge against the defendant must be distinctly read to him, and he must be required to plead thereto, * * * (c. 442, Ls. 1881, as Amend.; c. 423, Ls. 1940).

CORNING CITY CHARTER:

This is Chapter 142 of the Laws of 1905, setting up the Corning City Court and by Sec. 90 thereof giving this court jurisdiction in all criminal proceedings and "* * * to hold courts of special sessions with all the powers and jurisdiction of such courts as regulated by law and the provisions of this act; and the additional power and jurisdiction is hereby conferred on said City Judge, exclusive of any jus-

tice of the peace or court of special sessions, in the first instance to hear, try and determine all charges for misdemeanors * * *" (No special provisions contained concerning complaints, informations or summary hearing of misdemeanor charges).

CONSTITUTION OF THE UNITED STATES:

AMENDMENT XIV.

Section I. * * * nor shall any state deprive any person of life, liberty, or property, without due process of law; * * *